

**SFELDER**  
ORNEYS AT LAW

Greensfelder, Hemker & Gale, PC  
2000 Equitable Building  
10 South Broadway  
St. Louis, MO 63102

173081  
*Affiliate Office:*  
Greensfelder, Hemker & Gale  
12 Wolf Creek Drive, Ste. 100  
Belleville (Swansea), IL 62226

T: 314-241-9090  
F: 314-241-8624  
www.greensfelder.com

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ROGER EDGAR  
DIRECT DIAL (314) 516-2674  
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**OFFICE OF THE DIRECTOR**

January 15, 2003

Via Certified Mail  
(No. 7001 2510 0004 9792 6238)  
Return Receipt Requested

Mr. Mike Ribordy  
77 West Jackson Blvd.  
SR-6J  
Chicago, IL 60604-3590

Re: Sauget Area 2 Site - Groundwater Operable Unit  
Sauget, Illinois  
Notice under Section 122(a) of CERCLA and  
Unilateral Administrative Order

Dear Sir:

I write on behalf of Wiese Planning and Engineering who is named as a potentially responsible party in the above captioned Unilateral Administrative Order. The Company's liability is said to arise on account of waste which were disposed of, released into and/or transported to Site O which is described in the Order.

Site O consists of four closed sludge dewatering lagoons associated with the Village of Monsanto/Sauget waste water treatment plant. The Notice and accompanying Order recite that, "between 1966-67 and approximately 1978, these lagoons were used to dispose of sludge from the Village of Monsanto/Sauget WWTP."

According to expert testimony adduced in the ongoing Area 1 litigation, Wiese discharged into the Midwest Overflow. The Midwest Overflow drained directly into Dead Creek Segment B until the mid-1980s. According to those experts, therefore, Wiese discharged directly into Dead Creek Segment B until the Midwest Overflow was blocked at Dead Creek.

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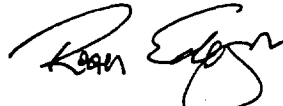
Those same experts, including the Village Engineer, stated that the Wiese system was connected to the village sewer system main lines subsequent to 1978.

Accordingly, it is Wiese's good faith belief that it has a defense to the proposed Unilateral Administrative Order which, in part, is supported by testimony of the Government's own experts in the Area 1 litigation to the effect that there was no discharge by Wiese to the village sewer system until after 1978. At this point in time, the sludge lagoons, Site O, had ceased operations.

Very truly yours,

GREENSFELDER, HEMKER & GALE, P.C.

By

  
Roger Edgar

JRE/pg

cc: Mr. William E. Muno ✓  
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